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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/801,544

03/17/2004

Kazuhisa Fukushima

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38834 7590 09/18/2007
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EXAMINER

SISSON, BRADLEY L

ART UNIT

PAPER NUMBER

1634

MAIL DATE

DELIVERY MODE

09/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/801,544	FUKUSHIMA, KAZUHISA	
	Examiner	Art Unit	
	Bradley L. Sisson	1634	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Bradley L. Sisson. (3) _____
 (2) Ryan B. Chirnomas, Reg. No. 56,527. (4) _____

Date of Interview: 07 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
 If Yes, brief description: _____.

Claim(s) discussed: 1 and 2as filed 7/23/07 and 02/09/07.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



BRADLEY L. SISSON
PRIMARY EXAMINER
GROUP 1800-1630

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Sisson indicated agreement to the use of the term "area" in place of "buffer chamber." Agreement was also reached for support being present for "partitioning" and that claim 10, as originally filed, provided support for alternative forms of the "gel" include very small pillar array and filter can be used as a "gel." Mr. Chirnomas also indicated page 12, first full paragraph, as providing support for these alternative embodiments.

Mr. Sisson indicated that a potential issue of enablement under 35 USC 112, first paragraph, may exist in that as presently worded, the sample is to be placed not into a well of a gel, but rather, be dumped into the solution of chamber A, and then caused to migrate in an electric field. Mr. Sisson noted that the sample may escape the gel by flowing under it, or over it, as the gel is probably covered with a buffer solution. Mr. Sisson also noted that the sample may enter the gel at different times, resulting in as a smear of bands, which would make separation of the target from non-target negatively-charged biopolymers extremely problematic. Mr. Sisson noted that one typically introduces the sample into well cast into a gel, and that the sample is mixed with glycerol so as to make it heavier than the buffer, and therein encourage it to rest at the bottom of the well and not mix with the surrounding buffer.

Mr. Sisson noted that in accordance with Fig. 2, there is a buffer for three of the four identified electrodes (Solution A, Solution B, and Solution C for electrodes 6, 7, and 12, respectively), but that there is no buffer for negative electrode 11. Mr. Sisson indicated that absent a buffer, one would not be able to pass an electric current through the gel using electrodes 11 and 12 as depicted in Fig. 2.

A review of the disclosure failed to identify where documents had been incorporated by reference and which could be relied upon to overcome these issues of enablement.